

PATENT



ATTY. DOCKET: MEI-P12.1-US

MARK A. GARZIA, P.C.

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RELATED MATTERS

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : MILLER EDGE, INC.  
TITLE : NON-CONTACT SAFETY SYSTEM  
APPLICATION NO. : 10/607,636  
FILING DATE : June 27, 2003  
EXAMINER : LUU, Thanh X  
ART UNIT : 2878  
CUSTOMER NO. : 021616

**CERTIFICATE OF MAILING**

I hereby certify that this communication, along with any paper or fee indicated as being enclosed, is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

July 10, 2007  
Date

  
Mark A. Garzia

**TRANSMITTAL LETTER ACCOMPANYING REPLY TO OFFICE ACTION**

Dear Sir:

07/17/2007 EARESAV1 00000000 10607636

01 FC:2253

510.03 07

Transmitted herewith is a Reply Under 37 C.F.R. §1.111 to Office Action (23 pgs.) that is responsive to the Office Action dated January 10, 2007, in the above-captioned application.

☒ Small entity status of this application pursuant to 37 C.F.R. §1.27(b) has been established.

☐ It is believed that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition for Extension of Time under 37 C.F.R. §1.136(a).

☒ Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a) - (d) for the total number of months checked below:

Extension Months(s)	Fee For Other Than <u>Small Entity</u>	Fee For <u>Small Entity</u>
<input type="checkbox"/> 1 Month	\$120.00	\$ 60.00
<input type="checkbox"/> 2 Months	\$450.00	\$225.00
<input checked="" type="checkbox"/> 3 Months	<b>\$1,020.00</b>	<b>\$510.00</b>
<input type="checkbox"/> 4 Months	\$1,590.00	\$795.00
<input type="checkbox"/> 5 Months	\$2,160.00	\$1,080.00

☐ A Terminal Disclaimer Pursuant to 37 C.F.R. § 1.321(b) and (c) is enclosed.

☐ An Assignment (    pgs.) is enclosed.

☐ Assignment Cover Sheet (1 pg.)

☐ An Information Disclosure Statement Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98 (    pgs.) is enclosed.

☐ Form PTO-1449.

☐ References

☒ Fee Transmittal for FY 2007 – Form PTO/SB/17 (1 pg.) is enclosed.

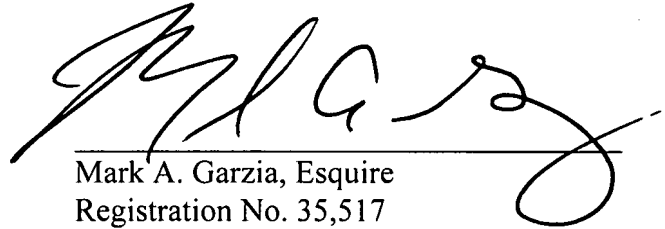
☒ Other

☒ Drawings: Marked-Up Replacement Sheets showing changes in red for Figs. 1A, 1B and 3C (3 pgs.); and Replacement Sheets without red ink for Figs. 1A, 1B and 3C (3 pgs.) are enclosed.

☐ Declaration

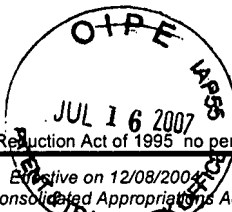
- ☒ [XX] A postage-prepaid, self-addressed postcard for the PTO to acknowledge receipt of this communication is enclosed.
- ☒ [XX] No additional claim fee is required.
- ☐ [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_. Two copies of this transmittal are attached.
- ☐ [ ] Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_.00 to cover the \_\_\_\_\_ fee is enclosed.
- ☐ [ ] The Commissioner is hereby authorized to charge any deficiency in fees associated with this communication, or credit any overpayment, to Deposit Account No. \_\_\_\_\_. Two copies of this transmittal are attached.
- ☒ [XX] Credit Card Payment Form PTO-2038 in the amount of \$510.00 (for the three-month extension) is enclosed to cover the fee due.

Respectfully submitted,

  
Mark A. Garzia, Esquire  
Registration No. 35,517

Date: July 10, 2007

Law Offices of Mark A. Garzia, P.C.  
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PTO/SB/17 (07-07)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2007**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 510**Complete if Known**

Application Number	10/607,636
Filing Date	June 27, 2003
First Named Inventor	MILLER, Bearge
Examiner Name	LUU, Thanh
Art Unit	2878
Attorney Docket No.	MEI-P12.1-US

**METHOD OF PAYMENT** (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	<u>Small Entity</u> Fee (\$)
50	25
200	100
360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
17	- 20 or HP =	0	x = 0

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
2	- 3 or HP =	0	x = 0

HP = highest number of independent claims paid for, if greater than 3.

<u>Multiple Dependent Claims</u>	
<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
0	0

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	0

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Extension of Time - 3 months

**Fees Paid (\$)**

510

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 35,517	Telephone 610-485-9400
Name (Print/Type)	Mark A. Garzia	Date 10 JULY 2007	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.